

REMARKS

Reconsideration of the present application is respectfully requested. No claims have been amended, cancelled or added in this response. No new matter has been added.

Claims 1-3, 5-6, 8-14 and 16-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication 2002/0056126 of Srikantan et al. (hereinafter "Srikantan").

As explained in the RCE mailed on 2/27/2006, a key objective of Applicants' invention is to reduce bursts in streaming media data traffic, in order to reduce congestion of downstream routers, servers, etc., particularly when a large number of clients have requested the same media data stream at substantially the same time. Such congestion can result in degradation in the quality and smoothness of the data streams that are ultimately delivered to the clients.

In contrast, Srikantan's main purpose is to more economically manage resource consumption (e.g., CPU, memory, etc.) on the streaming server in relation to per-track metadata. Srikantan does not address the problem of reducing burst traffic or of reducing congestion in downstream network nodes generally.

In particular embodiments of the present invention, congestion in downstream nodes is reduced by reducing streaming media burst traffic, and more specifically, by adding to each packet's specified delivery time a delay value that has been pseudo-randomly selected for each client. This technique virtually ensures that even if a large

number of clients (e.g., 10,000 or more) request the same data stream at the same time, there will not be a large number of clients assigned the exact same delivery time for a given data packet. This technique, therefore, has the effect of spreading the delivery times of a given data packet for multiple clients substantially evenly throughout a given time window, thereby reducing burst traffic.

Applicants further explained, in the RCE, why the Examiner cited sections of Srikantan do not teach or suggest each and every limitation of claim 16. In the office action mailed on 5/22/2006, the Examiner acknowledges that Srikantan does not explicitly disclose modifying the media data packet's delivery time for first and second client respectively so that the media data packet from a source reaches the first and second client at slightly different times (see page 3). The Examiner, however, contends that Srikantan discloses media frames of a live event from a single source being simultaneously streamed (multiple streams) in real-time to multiple users in a specified order within a certain period of time, and in order for the frames to be delivered to multiple clients, a time delay technique is allegedly utilized because paragraph 8 discloses "different time indices for different clients". With the above contention, the Examiner essentially interprets "time indices" as "time intervals", and interprets "different time indices for different clients" as a technique of time delay. Applicants disagree.

"Time index" (or "time indices") as disclosed in Srikantan is associated with a media portion within a media track (e.g., an audio track, a video track, etc.) (see paragraph 3 and claim 17 of Srikantan). A track includes metadata that is used to stream the media correctly. A track's metadata includes information for identifying a media segment or sample that should be played for a given time index within the

program (see Srikantan's paragraph 3). In Srikantan's paragraph 8, the discussion concerns streaming a media track to more than one client at the same time. With the above remarks in mind, the language quoted by the Examiner "different client streams may be at different time indices within the media" simply means that different portions of the media track are being streamed to different clients, which is a natural result if the clients initiated the transmission at different times. Thus, contrary to the Examiner's contention, Srikantan does not involve (or even hint at) modifying a media packet's delivery time, in contrast with claim 16. Therefore the invention as recited in claim 16 cannot be considered obvious in view of Srikantan.

For at least these reasons, therefore, claim 16 and all claims which depend on it are patentable over Srikantan.

Independent claims 1 and 9 include similar limitations to those in claim 16 discussed above and are, therefore, also patentable over Srikantan along with all of their dependent claims.

Conclusion

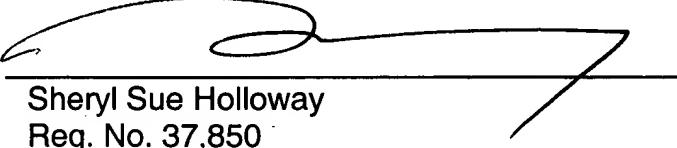
For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

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